

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/526,889

Q86325

AMENDMENTS TO THE DRAWINGS

A corrected FIG. 3 with the designation “RELATED ART” is hereby submitted.

Attachment: Replacement Sheet

REMARKS

Status of the Application

Claims 1 and 2 are all the claims that have been examined in the instant application. Claims 1 and 2 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kawai (U.S. 6,250,018).

By this Amendment, Applicants are amending claims 1 and 2, and adding new claims 3-6.

Oath/Declaration

The Examiner asserts that the oath or declaration is defective because it was not signed by all inventors.

Applicants respectfully point out to the Examiner that two separate declarations were filed along with the application, each signed by one inventor. Therefore, Applicants respectfully submit that no new declaration is necessary in the instant application.

Drawing Objection

The Examiner alleges that FIG. 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

Applicants are hereby submitting a corrected FIG. 3. Withdrawal of the objection is hereby respectfully requested.

Claim Rejections - 35 USC § 112

Claims 1 and 2 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner asserts that “the vehicle interior side” and “the vehicle exterior side” as recited in claim 1, and that “the vehicle interior side” recited in claim 2, lack antecedent basis. The Examiner also asserts that claim 2 recites a “protrusion” in line 3. The Examiner is unclear as to whether this is the same protrusion recited in claim 1, line 15, claim 2, line 7 and in claim 2, line 9. Further, the Examiner is unclear as to the meaning of claim 1, lines 15-18, and how it relates to claim 2, lines 3-6.

Applicants have amended claims 1 and 2 in order to correct the noted deficiencies. Withdrawal of the rejection is hereby respectfully requested.

Claim Rejections - 35 USC § 102

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kawai (U.S. 6,250,018).

Amended claim 1 recites, “a base portion of the hollow seal portion is fixed to the roll sash by a clip.” The Examiner alleges that Kawai discloses all of the elements of amended claim 1, citing elements 11, 12, 12a, 15, 17, 19 and 27. Specifically, the Examiner alleges that element 17 compares to the hollow seal portion recited in amended claim 1.

Applicants respectfully disagree with the Examiner because his application of Kawai is mistaken. FIG. 3 of Kawai, along with the col. 4, line 65-67, discloses that a base member 15 may be secured to the door by a clip. However, element 15 is not a base member of the hollow

seal portion as recited in amended claim 1. Amended claim 1 requires that the clip extend from the center of the hollow seal portion through the hollow seal portion, and then connects to the roll sash. By contrast, Kawai only discloses that a clip may secure base section 15, not extending through the hollow interior 16 of seal portion. Because Kawai fails to disclose that a clip fixes a base portion of the hollow seal portion, this reference fails to anticipate amended claim 1.

Therefore, amended claim 1 is patentable over the applied art. Claim 2 is patentable at least by virtue of its dependency from amended claim 1.

New Claims

New claims 3-6 are dependent from amended claim 1. Therefore, claims 3-6 are patentable at least by virtue of their dependency from amended claim 1.

Conclusion

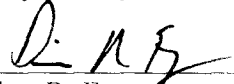
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted.



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